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VIA ECF

July 11, 2017

The Honorable Joan N. Ericksen
United States District Court
12W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

RE: *In re Bair Hugger*, MDL No. 15-2666
Manzanares v. 3M Co., No. 16-cv-04381

Dear Judge Ericksen:

This past Thursday, 3M filed a motion to dismiss several cases in the MDL for failure to comply with the Court's Pretrial Order No. 14 [Dkt. No. 590] concerning Plaintiff Fact Sheets. We are writing to inform the Court that we will no longer be requesting the dismissal of one of those cases – *Manzanares* (16-cv-04381) – at this time.

3M's basis for seeking dismissal of *Manzanares* was the plaintiff's failure to serve a PFS, which was due on March 28, 2017. After filing their motion to dismiss on July 6, 3M learned that the PFS for *Manzanares* had been served through the plaintiffs' electronic "portal" just a few hours earlier on that same day.

3M remains concerned about the way some plaintiffs are treating the due dates for PFS submissions. Some plaintiffs, like *Manzanares*, are effectively granting themselves lengthy extensions of time to serve PFSs, without the consent of Defendants or the Court. Defendants are forced to expend inordinate time and effort "chasing" these plaintiffs to get them to comply with their Court-ordered obligations.

Sincerely,

s/Benjamin W. Hulse

Benjamin W. Hulse

cc: Counsel of record